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07/579,569	09/10/90	NILSSEN	0

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25M1

EXAMINER	
DINH, C	
ART UNIT	PAPER NUMBER
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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents.

SEE ATTACHMENTS: 1- LETTER
2- PTO-892 ✓
3- COPY OF COX REFERENCE


SN 579,569
AU 2511

This letter is in response to the Remand to the Examiner by the Board of Patent Appeals and Interferences dated Feb. 22, 1993.

A copy of the Cox reference which was newly cited in the Examiners Answer is enclosed herewith.

In view of the error by the Office in not providing a copy of the Cox reference with the Examiners Answer, the period for response to the new ground of rejection is being reset. Accordingly, appellant is given a period of TWO MONTHS from the date of this letter within which to file a reply to any new ground of rejection. Such reply may include any amendment or material appropriate to the new ground of rejection. Prosecution otherwise remains closed. Failure to respond to the new ground of rejection will result in dismissal of the appeal of the claims so rejected.

The Reply Brief filed June 15, 1992 was not entered for the reasons set out in the communication from the examiner mailed August 25, 1992. Appellant would normally be given one month in which to correct the defect by filing a supplemental Reply Brief. This issue is now moot in view of the new response period set above. However, since appellant has been advised of the requirements of 37 CFR 1.193(b) with respect to presenting any amendment or material appropriate to the new ground of rejection in a paper separate from the Reply Brief, any response to this letter must meet the requirements of 35 CFR 1.193(b).


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